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LETTER DATED 8 OCTOBER 1992 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose the report of the Chairman of the Working Group on Confidence and Security-building and Verification Measures to the co-chairmen of the Steering Committee of the International Conference on the former Yugoslavia, which contains details of the agreements reached between the parties in the region on the implementation of aerial confidence measures, including the ban on the military use of aircraft in Bosnia and Herzegovina.

I should be grateful if this report could be circulated as a document of the Security Council.

(Signed) Sir D. H. A. HANNAY

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Annex

Report of the Chairman of the Working Group on Confidence and Security-building and Verification Measures to the co-chairmen of the Steering Committee of the International Conference on the former Yugoslavia

1. The Working Group on Confidence and Security-building and Verification Measures held seven meetings between 4 and 15 September 1992.

2. Upon the request of the co-chairmen, and in the light of the tragic loss of the Italian crew and aircraft carrying out a humanitarian mission for the Office of the United Nations High Commissioner for Refugees (UNHCR) airlift on 3 September, the Working Group focused its attention on ways within its mandate to facilitate the resumption of humanitarian flights into Sarajevo.

3. With respect to the implementation of measures agreed at the London Conference, the parties in the region covered by the activities of the Working Group agreed to provide to the Working Group and exchange among themselves, as from Tuesday, 15 September 1992, information on the measures they have taken:

(a) To implement the ban on military use, as a first step, of aircraft or helicopters with regard to Bosnia and Herzegovina;

(b) To identify, as a first step, headquarters and names of commanders of all armed forces, including paramilitary forces:

(i) In a 45-kilometre radius of the site where the Italian aircraft went down;

(ii) In an area 10 kilometre on each side of the flight route agreed between the parties on the ground and the United Nations Protection Force (UNPROFOR) for humanitarian flights in Bosnia and Herzegovina;

(c) To ensure that all parties on the ground have liaison at the Sarajevo airport with UNPROFOR authorities so that the armed forces in the area under their control are fully aware of the humanitarian character of any UNHCR flight.

4. They also agreed on the immediate implementation of the following further measures:

(a) To facilitate the task of UNPROFOR in operating Sarajevo airport;

(b) To report on the state of all navigational aids in the region and measures to restore them, if necessary, to working conditions;

(c) To report on measures to comply with the agreement of 5 June 1992 on the reopening of the Sarajevo airport for humanitarian purposes, in accordance with paragraph 17 of Security Council resolution 757 (1992) and paragraph 6 of Security Council resolution 758 (1992);

(d) To ban any radar lock-on of humanitarian flights as well as of any United Nations authorized flights;

(e) Not to deploy, as a first step with regard to Bosnia and Herzegovina, any anti-aircraft artillery and surface-to-air missiles (SAMs) in an area 45 km on each side of the agreed route for humanitarian flights, and furthermore to declare such weapons already deployed in that area and to withdraw them;

(f) To provide, also as a first step, to the Working Group and exchange among themselves information on the location of all anti-aircraft artillery and SAMs in Bosnia and Herzegovina.

5. The Working Group received at its meeting on 15 September 1992 information from two of the parties in compliance with the provisions of the present document, which was welcomed and is transmitted to the co-chairmen for their consideration. While not objecting to the decision taken at the London Conference on the ban on military use of aircraft or helicopters, one party noted that it was not yet in a position to exchange information immediately, but it would do so as soon as possible.

6. The Working Group agreed to keep the implementation of the measures agreed upon under permanent review.

7. The Working Group, recalling that UNPROFOR had the responsibility of ensuring the safety of the humanitarian flights, suggested that a member of UNPROFOR assist the Working Group.

8. The Chairman drew the attention of the members of the Working Group to the agreement reached in principle on 11 September 1992 at Belgrade regarding, inter alia, the placing of observers at military airfields. He noted that the implementation of that agreement, together with other verification measures, might assist in making more effective the ban on military use of aircraft or helicopters.

9. The Chairman is hopeful that the above agreements may contribute to the early resumption of the humanitarian flights.

(Signed) Vicente BERASATEGUI
Chairman

Enclosure

INTERNATIONAL CONFERENCE ON THE FORMER YUGOSLAVIA

Working Group on Confidence and Security-building and Verification Measures

Agreement on modalities for the implementation of the measures agreed to facilitate the resumption of humanitarian flights into Sarajevo, as contained in the report of the Chairman of the Working Group to the co-chairmen of the Steering Committee dated 15 September 1992

A. With respect to the three following confidence-building measures agreed at the London Conference - LC/C7 (Final) of 27 August 1992 and LC/C11 (Final)

A.1. To implement the ban on military use, as a first step, of aircraft or helicopters with regard to Bosnia and Herzegovina

Modalities

The parties are to provide the Chairman of the Working Group and exchange among themselves - either directly or through him - information in writing on all measures they have taken or are taking to implement the above ban in the area of application of the measures, including the level and format in which the implementation order was given, the levels at which the order is received, the date of implementation and the focal point on the ground, designated by each party, for any clarification needed with respect to the ban. The ban includes any use of combat or non-combat aircraft or helicopters for any military purpose whatsoever over all the territory of Bosnia and Herzegovina.

A.2. To identify, as a first step, Headquarters and names of commanders of all armed forces, including paramilitary forces: (i) in a 45-km radius of the site where the Italian aircraft went down; (ii) in an area 10 km on each side of the flight route agreed between the parties on the ground and UNPROFOR for humanitarian flights in Bosnia and Herzegovina

Modalities

The parties are to provide the Chairman of the Working Group and exchange among themselves - either directly or through him - information in writing on headquarters and names of commanders in the area of application of the measure of all armed units at each level of command down to the level of battalion, or equivalent formation above the company level, and of all units of paramilitary forces, without exclusion.

A.3. To ensure that all parties on the ground have liaison at the Sarajevo airport with UNPROFOR authorities so that the armed forces in the area under their control are fully aware of the humanitarian character of any UNHCR flight

Modalities

The parties are to ensure that authorized personnel is in place to maintain liaison with UNPROFOR units at Sarajevo airport and has full access to the airport area. They are also to provide the Working Group in writing the name or names of those responsible for such liaison, as well as information on the measures taken to ensure full access.

B. With respect to the immediate implementation of the further measures agreed:

B.1. To facilitate the task of UNPROFOR in operating Sarajevo airport

Modalities

The parties are to report in writing to the Working Group on measures they have taken or are taking to facilitate the task of UNPROFOR in all aspects of its operation of the Sarajevo airport. Further modalities are to be developed in consultation with UNPROFOR authorities.

B.2. To report on the state of navigational aids in the region and measures to restore them, if necessary, to working conditions

Modalities

The parties are to report in writing to the Working Group on the state of navigational aids at the Sarajevo airport and of beacons set up along the agreed flight routes. They are also to report on measures they have taken or are taking to restore those navigational aids, if necessary, to working condition.

B.3. To report on measures to comply with the agreement of 5 June 1992 on the reopening of the Sarajevo airport for humanitarian purposes, in accordance with paragraph 17 of Security Council resolution 757 (1992) and paragraph 6 of Security Council resolution 758 (1992)

Modalities

The parties are to report in writing to the Working Group on the measures they have taken or are taking to comply with the agreement of 5 June 1992 on the reopening of the Sarajevo airport for humanitarian purposes, including all the measures contained in that agreement for the implementation of the security zone envisaged in paragraph 17 of Security Council resolution 757 (1992). Further measures will be developed in consultation with UNPROFOR authorities.

B.4. To ban any radar lock-on to humanitarian flights as well as of any United Nations authorized flights

Modalities

The parties are to report in writing to the Working Group on the measures they have taken or are taking to implement the ban on radar lock-ons of humanitarian flights as well as of any United Nations authorized flights, including the level and format in which the order for the ban is given, the levels at which the order is received, the date of implementation and, in any case, the focal point on the ground, designated by each party, for any clarification needed with respect to the ban.

B.5. Not to deploy, as a first step with regard to Bosnia and Herzegovina, any anti-aircraft artillery and surface-to-air missiles (SAMs) in an area 45 km on each side of the agreed route for humanitarian flights, and furthermore to declare such weapons already deployed in that area and to withdraw them

Modalities

The parties are not to deploy in the area of application of the measure any type of anti-aircraft artillery and SAMs, as well as any associated equipment, such as fire control radars. Furthermore, they are to provide the Chairman of the Working Group and exchange among themselves - either directly or through him - information in writing on the location of all such types of air-defence weapons from the battery or SAMs team level and up in the area of application of the measure. They are also to provide the level and format in which the order for withdrawal of such weapons was given, the levels at which the order is received, the time-table for the implementation of the withdrawal and, in any case, the focal point on the ground, designated by each party, for any clarification needed with respect to the withdrawal.

B.6. To provide, also as a first step, to the Working Group and exchange among themselves information on the location of all anti-aircraft artillery and SAMs in Bosnia and Herzegovina

Modalities

The parties are to provide the Chairman of the Working Group and exchange among themselves - either directly or through him - information in writing on the location of all types of anti-aircraft artillery and SAMs from the battery and SAMs team-level and up, as well as any associated equipment, such as fire control radars, in the entire area of Bosnia and Herzegovina. The information exchange should be updated every 30 days. Furthermore, any intended change in the location of any weapons previously reported shall be notified five days before they are moved.

C. The Chairman of the Working Group may establish deadlines for the submission of information and may request any party to clarify or confirm any information transmitted to him which he may consider incomplete or not conforming to the guidelines set out above.

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LETTER DATED 6 OCTOBER 1992 FROM THE PERMANENT REPRESENTATIVE OF MOZAMBIQUE TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to request Your Excellency that the letter dated 4 October 1992 and its annex, addressed to Your Excellency by H.E. Mr. Joaquim Alberto Chissano, President of the Republic of Mozambique, handed over to Mr. James O. C. Jonah, Under-Secretary-General for Political Affairs and special representative of the Secretary-General at the signing ceremony of the General Peace Agreement for Mozambique, in Rome last 4 October 1992, be circulated as an official document of the Security Council.

(Signed) Pedro Comissario AFONSO
Ambassador Extraordinary and Plenipotentiary
Permanent Representative to the United Nations

Enclosure

Letter dated 4 October 1992 from the President of the Republic of Mozambique addressed to the Secretary-General

I have the honour to convey to Your Excellency that the Government of the Republic of Mozambique and the Resistência Nacional Moçambicana (RENAMO) signed on 4 October 1992 a General Peace Agreement establishing the principles and modalities for the achievement of peace in Mozambique.

Accordingly, I would like to request Your Excellency to take appropriate action in order to ensure the participation of the United Nations in monitoring and ensuring the implementation of the General Peace Agreement and in assisting the Government by providing technical assistance for the General Elections and in monitoring these elections.

In this regard, I would also like to request the United Nations to chair the following Commissions:

(a) The Supervision and Control Commission of the implementation of the General Peace Agreement, as provided for in Protocol I;

(b) The Cease-fire Commission provided for in Protocol VI, and;

(c) The Reintegration Commission, provided for in Protocol IV.

I would equally like to request Your Excellency to inform the Security Council on the need to send a United Nations team to Mozambique to monitor the above-mentioned Agreement, until the holding of the General Elections, which in principle, will take place one year after the signing of the General Peace Agreement.

The Agreement shall enter into force on the day of the publication of the legal instruments to be adopted by the Assembly of the Republic as envisaged in the Joint Declaration of August 1992. The publication of such legal instruments shall take place no later than 15 October 1992.

According to Protocol IV, the United Nations is expected to start its functions of verifying and monitoring the cease-fire on the day of entry into force of the General Peace Agreement.

Although the Agreement will come into force as indicated above, it would be our wish to see this monitoring mechanism established in the field as soon as possible, but not later than the date of the entry into force of this General Peace Agreement.

Attached please find the signed text of the General Peace Agreement.

(Signed) Joaquim Alberto CHISSANO
President of the Republic of Mozambique

Annex

GENERAL PEACE AGREEMENT FOR MOZAMBIQUE

Rome, 4 October 1992

GENERAL PEACE AGREEMENT FOR MOZAMBIQUE

Joaquim Alberto Chissano, President of the Republic of Mozambique and Afonso Macacho Marceta Dhlakama, President of RENAMO, meeting at Rome, under the chairmanship of the Italian Government, in the presence of the Minister for Foreign Affairs of the Italian Republic, Emilio Colombo, and in the presence of:

H.E. Robert Gabriel Mugabe, President of the Republic of Zimbabwe;

H.E. Ketumile Masire, President of the Republic of Botswana;

H.E. George Saitoti, Vice-President of the Republic of Kenya;

H.E. Roelof F. Botha, Minister for Foreign Affairs of the Republic of South Africa;

The Hon. John Tembo, Minister in the Office of the President of the Republic of Malawi;

Ambassador Ahmed Haggag, Assistant Secretary-General of OAU;

and of the mediators: Mario Raffaelli, representative of the Italian Government and coordinator of the mediators, Jaime Gonçalves, Archbishop of Beira, Andrea Riccardi and Matteo Zuppi of the Community of San Egidio;

and representatives of the observers: Dr. James O. C. Jonah, Under-Secretary-General for Political Affairs of the United Nations; H.E. Ambassador Herman J. Cohen, Assistant Secretary of State, for the Government of the United States of America; H.E. Ambassador Philippe Cuvillier for the Government of France; H.E. Dr. José Manuel Durao Barroso, Secretary of State for Foreign Affairs, for the Government of Portugal; and H.E. Sir Patrick Fairweather for the Government of the United Kingdom;

at the conclusion of the negotiating process in Rome for the establishment of a lasting peace and effective democracy in Mozambique, accept as binding the following documents which constitute the General Peace Agreement:

1. Protocol I (Basic principles);

2. Protocol II (Criteria and arrangements for the formation and recognition of political parties);

3. Protocol III (Principles of the Electoral Act);

4. Protocol IV (Military questions);

5. Protocol V (Guarantees);

6. Protocol VI (Cease-fire);

7. Protocol VII (donors' conference).

They also accept as integral parts of the Gereral Peace Agreement for Mozambique the following documents:

(a) The Joint Communiqué of 10 July 1990;

(b) The Agreement of 1 December 1990;

(c) The Declaration of the Government of the Republic of Mozambique and RENAMO on guiding principles for humanitarian assistance, signed in Rome on 16 July 1992;

(d) The Joint Declaration signed in Rome on 7 August 1992.

The President of the Republic of Mozambique and the President of RENAMO undertake to do everything within their power for the achievement of genuine national reconciliation.

The above-mentioned protocols have been duly initialled and signed by the respective heads of delegation and by the mediators. The present General Peace Agreement shall enter into force immediately upon its signature.

(Signed) Joaquim Alberto Chissano
President of the Republic
of Mozambique

(Signed) Afonso Macacho Marceta Dhlakama
President of RENAMO

The mediators:

(Signed) Mario Raffaelli

(Signed) Jaime Gonçalves

(Signed) Andrea Riccardi

(Signed) Matteo Zuppi

Signed at Rome on 4 October 1992

PROTOCOL I

BASIC PRINCIPLES

On 18 October 1991, the delegation of the Government of the Republic of Mozambique, headed by Armando Emílio Guebuza, Minister of Transport and Communications, and composed of Aguiar Mazula, Minister of State Administration, Teodato Hunguana, Minister of Labour, and Francisco Madeira, Diplomatic Adviser to the President of the Republic, and the delegation of RENAMO, headed by Raul Manuel Domingos, Chief of the External Relations Department, and composed of Vicente Zacarias Ululu, Chief of the Information Department, Agostinho Semende Murrial, Deputy Chief of the Political Affairs Department and Joao Francisco Almirante, member of the President's cabinet, meeting at Rome in the context of the peace talks, in the presence of the mediators, Mario Raffaelli, representative of the Government of the Italian Republic and coordinator of the mediators, Jaime Gonçalves, Archbishop of Beira, Andrea Riccardi and Matteo Zuppi of the Community of San Egidio;

Determined to secure the higher interests of the Mozambican people, reaffirm that dialogue and collaboration are the indispensable means of achieving a lasting peace in the country.

Accordingly:

1. The Government undertakes to refrain from taking any action that is contrary to the provisions of the Protocols to be concluded and from adopting laws or measures or applying existing laws which may be inconsistent with those Protocols.

2. RENAMO, for its part, undertakes, beginning on the date of entry into force of the cease-fire, to refrain from armed combat and instead to conduct its political struggle in conformity with the laws in force, within the framework of the existing State institutions and in accordance with the conditions and guarantees established in the General Peace Agreement.

3. The two parties commit themselves to concluding as soon as possible a General Peace Agreement, containing Protocols on each of the items of the agenda adopted on 28 May 1991 and to take the necessary steps to that end. In that connection, the Government shall endeavour not to hamper international travel by representatives of RENAMO and external contacts of RENAMO in connection with the peace negotiations. Contacts within the country between RENAMO and the mediators or the members of the Joint Verification Commission shall likewise be permitted for the same purpose. Specific arrangements for such contacts shall be made on a case-by-case basis in response to requests by the mediators to the Government.

4. The Protocols to be concluded in the course of these negotiations shall form an integral part of the General Peace Agreement and shall enter into force on the date of signature of the Agreement, with the exception of paragraph 3 of this Protocol, which shall enter into force immediately.

5. The parties agree on the principle of establishing a commission to supervise and monitor compliance with the General Peace Agreement. The commission shall be composed of representatives of the Government, RENAMO, the United Nations and other organizations or Governments to be agreed upon between the parties.

For the delegation of the Government of the Republic of Mozambique:

(Signed) Armando Emílio Guebuza

For the delegation of RENAMO:

(Signed) Raul Manuel Domingos

The mediators:

(Signed) Mario Raffaelli

(Signed) Jaime Gonçalves

(Signed) Andrea Riccardi

(Signed) Matteo Zuppi

Done at San Egidio, Rome, on 18 October 1991

PROTOCOL II

CRITERIA AND ARRANGEMENTS FOR THE FORMATION AND RECOGNITION OF POLITICAL PARTIES

On 13 November 1991, the delegation of the Government of the Republic of Mozambique, headed by Armando Emílio Guebuza, Minister of Transport and Communications, and composed of Aguiar Mazula, Minister of State Administration, Teodato Hunguana, Minister of Labour, and Francisco Madeira, Diplomatic Adviser to the President of the Republic, and the delegation of RENAMO, headed by Raul Manuel Domingos, Chief of the External Relations Department, and composed of Vicente Zacarias Ululu, Chief of the Information Department, Agostinho Semende Murrial, Deputy Chief of the Political Affairs Department and, Joao Francisco Almirante, member of the President's cabinet, meeting in Rome in the context of the peace talks, in the presence of the mediators, Mario Raffaelli, representative of the Government of the Italian Republic and coordinator of the mediators, Jaime Gonçalves, Archbishop of Beira, Andrea Riccardi and Matteo Zuppi of the Community of San Egidio, took up item 1 of the Agreed Agenda of 28 May 1991, concerning "Criteria and arrangements for the formation and recognition of political parties".

At the conclusion of their talks, the parties agreed on the necessity of guaranteeing the workings of a multi-party democracy in which the parties would freely cooperate in shaping and expressing the will of the people and in promoting democratic participation by the citizens in the Government of the country.

In this connection, and bearing in mind the provisions of Protocol I on "Basic principles", the parties have agreed on the following principles:

1. The nature of political parties

(a) Political parties shall be independent, voluntary and free associations of citizens, national in scope, whose primary purpose shall be to give democratic expression to the will of the people and to provide for democratic participation in the exercise of political power in accordance with the fundamental rights and freedoms of citizens and on the basis of electoral processes at all levels of State organization.

(b) Associations whose primary purpose is to promote local or sectoral interests or the exclusive interests of a given social group or class of citizens shall be different from political parties and may not enjoy the status provided for by law for such parties.

(c) The Political Parties Act shall determine the conditions for the acquisition of the status of juridical person by political parties.

(d) Political parties shall be granted specific privileges, which shall be guaranteed by law.

(e) For the operation and full development of a multi-party democracy based on respect for and guarantees of basic rights and freedoms and based on pluralism of democratic political expression and organization under which political power belongs exclusively to the people and is exercised in accordance with principles of representative and pluralistic democracy, the parties must have fundamentally democratic principles by which they must abide in practice and in their political activities.

2. General principles

In their formation, structure and operations, political parties shall observe and apply the following general principles with the aim of controlling their actions:

(a) They must pursue democratic purposes;

(b) They must pursue national and patriotic interests;

(c) The political objectives pursued must be non-regional, non-tribal, non-separatist, non-racial, non-ethnic and non-religious;

(d) The members of political parties must be citizens of Mozambique;

(e) The parties must have a democratic structure and their internal bodies must be transparent;

(f) The parties must accept democratic methods for the pursuit of their aims;

(g) Joining a political party must be a voluntary act reflecting the freedom of citizens to associate with others who share the same political outlook.

3. The rights of parties

The purpose of the Political Parties Act shall be to protect the freedom of action and operation of political parties, with the exception of those which espouse anti-democratic, totalitarian or violent aims, or which conduct their activities in a manner contrary to law.

Parties shall enjoy the following rights:

(a) Equal rights and duties before the law;

(b) Every Party shall have the right freely and publicly to propound its policies;

(c) Specific guarantees shall be provided with respect to access to the mass media, sources of public funding and public facilities, in accordance with the principle of non-discrimination and on the basis of criteria of representativeness to be specified in the Electoral Act;

(d) Exemption from taxes and fees as provided for by law;

(e) No citizen shall be persecuted or discriminated against because of membership in a political party or political opinion;

(f) Other aspects specific to individual political parties shall be determined in their respective statutes or regulations, which must conform with the law. Public notice shall be given of such statutes or regulations.

4. Duties of parties

Political parties shall fulfil the following requirements:

(a) They shall be identified by name, acronym and symbol. The use of names, acronyms or symbols which may be considered offensive by the inhabitants or which incite to violence and may have divisive connotations based on race, region, tribe, gender or religion shall be prohibited;

(b) They shall not call into question the country's territorial integrity and national unity;

(c) They must establish their organs and organize their internal structure on the basis of the principle of democratic election and responsibility of all individuals holding party office;

(d) They must ensure that their statutes and programmes are approved by a majority of their members or by assemblies representing those members;

(e) As regards their internal organization, Parties must fully respect the principle of free adherence of their members, who may not be compelled to join or remain in a party against their will;

(f) They must be registered and disclose annually their accounts and sources of funding.

5. Registration

(a) The purpose of registration is to certify that the founding and existence of parties is in accordance with the applicable legal principles and, consequently, to confer on parties the status of juridical person;

(b) For the purposes of registration, each Party must have collected at least 2,000 signatures;

(c) Responsibility for registering parties shall rest with the Government;

(d) The Commission provided for in paragraph 5 of Protocol I on basic principles shall consider and settle any disputes which may arise in connection with the registration of parties. For that purpose the Government shall make available to the Commission the documents required by law.

6. Implementation

(a) The Parties agree that, immediately following the signature of the General Peace Agreement, RENAMO shall commence its activities as a political party, with the privileges provided for by law; it shall, however, be required to submit at a later date the documents required by law for registration;

(b) Pursuing the method of dialogue, collaboration and regular consultation, the parties agree to establish, in connection with the discussion of item 5 of the Agreed Agenda, the timetable of activities necessary for the proper implementation of this Protocol.

In witness whereof, the Parties have decided to sign this Protocol.

For the delegation of the Government of the Republic of Mozambique:

(Signed) Armando Emílio Guebuza

For the delegation of RENAMO:

(Signed) Raul Manuel Domingos

The mediators:

(Signed) Mario Raffaelli

(Signed) Jaime Gonçalves

(Signed) Andrea Riccardi

(Signed) Matteo Zuppi

Done at San Egidio, Rome, on 13 November 1991

PROTOCOL III

On 12 March 1992, the delegation of the Government of the Republic of Mozambique, headed by Armando Emílio Guebuza, Minister of Transport and Communications, and composed of Aguiar Mazula, Minister of State Administration, Teodato Hunguana, Minister of Labour, and Francisco Madeira, Diplomatic Adviser to the President of the Republic, and the delegation of RENAMO, headed by Raul Manuel Domingos, Chief of the Organization Department, and composed of Vicente Zacarias Ululu, Chief of the Information Department, Agostinho Semende Murrial, Deputy Chief of the Organization Department, and Virgílio Namalue, Director of the Information Department, meeting in Rome in the context of the peace talks, in the presence of the mediators, Mario Raffaelli, representative of the Government of the Italian Republic and coordinator of the mediators, Jaime Gonçalves, Archbishop of Beira, Andrea Riccardi and Matteo Zuppi of the Community of San Egidio, took up the item of the agenda signed on 28 May 1991 concerning the Electoral Law and agreed as follows:

This Protocol sets forth the general principles which should guide the drafting of the Electoral Act and any possible amendments to the laws in connection with the conduct of the electoral process.

The Electoral Act shall be drafted by the Government, in consultation with RENAMO and all other political parties.

I. Freedom of the press and access to the media

(a) All citizens shall enjoy the right of freedom of the press and freedom of information. These freedoms shall encompass, specifically, the right to establish and operate newspapers and other publications, radio and television broadcasting stations and other forms of written or sound communication, such as posters, leaflets and other media.

These rights shall not be abridged by censorship.

(b) Administrative and tax regulations shall in no case by used to hamper or prevent the exercise of this right on political grounds.

(c) Freedom of the press shall also include freedom of expression and creation for journalists and the protection of their independence and professional secrecy.

(d) The Government-controlled mass media shall enjoy editorial independence and shall guarantee, in accordance with the specific regulations envisaged in section V.3.b.1 of this Protocol, the right of all parties to access without political discrimination. Provision should be made in such regulations for access by all parties free of charge.

Advertisements which conform to the prevailing commercial practice may not be refused on political grounds.

(e) The mass media may not discriminate against or refuse on political grounds any party or its candidates the exercise of the right of reply or the publication of corrections or retractions. Access to the courts shall be guaranteed in cases of defamation, slander, libel and other press offences.

II. Freedom of association, expression and political activity

(a) All citizens shall have the right to freedom of expression, association, assembly, demonstration and political activity. Administrative and tax regulations shall in no case be used to prevent or hamper the exercise of these rights for political reasons. These rights shall not extend to the activities of unlawful private paramilitary groups or groups which promote violence in any form or terrorism, racism or separatism.

(b) Freedom of association, expression and political activity shall encompass access, without discrimination, to the use of public places and facilities. Such use shall be conditional on submission of an application to the competent administrative authorities, who must give a decision within 48 hours after the submission of the application. Applications may be rejected only for reasons of public order or for organizational considerations.

III. Liberty of movement and freedom of residence

All citizens shall have the right to move about throughout the country without having to obtain administrative authorization.

All citizens have the right to choose to reside anywhere in the national territory and to leave or return to the country.

IV. Return of Mozambican refugees and displaced persons and their social reintegration

(a) The parties undertake to cooperate in the repatriation and reintegration of Mozambican refugees and displaced persons in the national territory and the social integration of war-disabled.

(b) Without prejudice to the liberty of movement of citizens, the Government shall draw up a draft agreement with RENAMO to organize the necessary assistance to refugees and displaced persons, preferably in their original places of residence. The parties agree to seek the involvement of the competent United Nations agencies in the drawing up and implementation of this plan. The International Red Cross and other organizations to be agreed upon shall be invited to participate in the implementation of the plan.

(c) Mozambican refugees and displaced persons shall not forfeit any of the rights and freedoms of citizens for having left their original places of residence.

(d) Mozambican refugees and displaced persons shall be registered and included in the electoral rolls together with other citizens in their places of residence.

(e) Mozambican refugees and displaced persons shall be guaranteed restitution of property owned by them which is still in existence and the right to take legal action to secure the return of such property from individuals in possession of it.

V. Electoral procedures: system of democratic, impartial and pluralistic voting

1. General principles

(a) The Electoral Act shall establish an electoral system which is consonant with the principles of the direct, equal, secret and personal ballot.

(b) Elections to the Assembly of the Republic and for President of the Republic shall be held simultaneously.

(c) The elections shall take place within one year after the date of the signing of the General Peace Agreement. This period may be extended if it is determined that circumstances exist which preclude its observance.

2. The right to vote

(a) Mozambican citizens 18 years of age and over shall have the right to vote, with the exception of individuals suffering from certified mental incapacity or insanity.

(b) As envisaged by item 4 (a) of the Agreed Agenda, Mozambican citizens who are detained or have been sentenced to a prison term for a criminal offence under ordinary law shall not have the right to vote until they complete their sentence. In any event, this restriction shall not apply to individuals belonging to the Parties in respect of acts committed in the course of military operations.

(c) Exercise of the right to vote shall be conditional on registration in the electoral rolls.

(d) With the aim of promoting the broadest possible participation in the elections, the parties agree to encourage all Mozambican citizens 18 years of age and over to register and to exercise their right to vote.

3. National elections commission

(a) For the purpose of organizing and conducting the electoral process, the Government shall set up a National Elections Commission, composed of individuals whose professional and personal qualities afford guarantees of balance, objectivity and independence vis-à-vis all political parties. One third of the members to be appointed to the Commission shall be nominated by RENAMO.

(b) The Commission shall have the following functions:

1. To draw up, in consultation with the political parties, regulations governing election campaigning, regulations on the distribution of broadcast air time and regulations on the utilization of public and private places and facilities during the election campaign.

2. To oversee the compilation of electoral rolls, the legal filing of candidacies, the public announcement of candidacies and checking and recording the election results.

3. To monitor the electoral process and ensure compliance with the laws.

4. To ensure equality of treatment for citizens in all acts relating to the elections.

5. To receive, consider and settle complaints with respect to the validity of the elections.

6. To ensure equal opportunity and treatment for the different candidates.

7. To review the election accounts.

8. To draw up and have published in the national gazette (Boletim da República) the lists of the results of the final vote tally.

4. Voting Assemblies

(a) At each polling place there shall be a Voting Assembly composed of:

- All citizens who are to exercise their right to vote at the given polling place;

- representative of the various candidates and parties.

(b) Each Voting Assembly shall be presided over by a Ballot Board composed of a Chairman, a vice-chairman-cum-secretary and tellers which shall oversee the electoral operations.

(c) The members of the Ballot Board shall be appointed from among the voters belonging to the Voting Assembly in question, with the agreement of the representatives of the various candidates.

(d) The ballot boards shall be responsible for monitoring all electoral operations and transmitting the results to the National Elections Commission.

(e) Delegates of the candidates or parties in the Voting Assembly shall have the right:

1. To monitor all electoral operations.

2. To examine the rolls compiled or utilized by the Board.

3. To be heard and to receive clarifications with respect to all matters relating to the conduct of the Assembly.

4. To submit complaints.

5. To occupy the places closest to the Assembly Board.

6. To initial and sign the official records of the Assembly and to monitor all acts related to the electoral operations.

(f) Any complaints shall be included in the official records and transmitted to the National Elections Commission.

5. Election to the Assembly of the Republic

(a) The country's provinces shall constitute electoral districts. The National Elections Commission shall decide on the apportionment of seats to each electoral district on the basis of population.

(b) The Electoral Act shall provide for an electoral system based on the principle of proportional representation for election to the Assembly.

(c) Parties which intend to stand jointly for elections to the Assembly must submit lists under a single emblem.

(d) Once the election campaign has begun, the combining of electoral lists for the purpose of pooling votes shall not be permitted.

(e) Citizens 18 years of age and over shall be eligible to stand for election to the Assembly of the Republic. The parties agree, however, on the desirability of raising the minimum age to 25 for the forthcoming elections as a transitional measure.

(f) A minimum percentage of votes cast nationwide shall be established, below which competing political parties may not have a seat in the Assembly. This percentage shall be agreed in consultation with all political parties in the country and shall not be less than 5 per cent or more than 20 per cent.

(g) Representatives of the parties in each electoral district shall be elected in the order in which they appear on the lists.

6. Election of the President of the Republic

(a) The President of the Republic shall be elected by an absolute majority of ballots cast. If no candidate obtains an absolute majority, a second ballot shall be held restricted to the two candidates who have received the highest number of votes.

(b) The second ballot shall take place within one to three weeks after the announcement of the results of the first ballot. Having regard to organizational considerations, the date of the ballot shall be indicated before the commencement of the election campaign.

(c) Individuals 35 years of age and over who are citizens and registered voters shall be eligible to stand for election to the office of President of the Republic.

(d) Candidacies for President of the Republic must have the support of at least 10,000 signatures of Mozambican citizens 18 years of age and over who are currently registered voters.

7. Financing and facilities

(a) The National Elections Commission shall guarantee the distribution to all parties competing in the elections, without discrimination, of subsidies and logistic support for the election campaign apportioned on the basis of the number of each party's candidates and under the supervision of all parties competing in the elections.

(b) The Government undertakes to assist in obtaining facilities and means so that RENAMO may secure the office space and transport and communications facilities it needs to carry out its political activities in all the provincial capitals, and in other locations to the extent that the available resources so permit.

(c) For these purposes the Government shall seek support from the international community and, in particular, from Italy.

VI. Guarantees for the electoral process and role of international observers

(a) Supervision and monitoring of the implementation of this Protocol shall be guaranteed by the Commission envisaged in Protocol I on basic principles.

(b) With a view to ensuring the highest degree of impartiality in the electoral process, the parties agree to invite as observers the United Nations, OAU and other organizations, as well as appropriate private individuals from abroad as may be agreed between the Government and RENAMO.

The observers shall perform their function from the commencement of the electoral campaign to the time when the Government takes office.

(c) With the aim of expediting the peace process, the parties also agree on the necessity of seeking technical and material assistance from the United Nations and OAU following the signature of the General Peace Agreement.

(d) The Government shall address formal requests to the United Nations and OAU in pursuance of the provisions of this section.

In witness whereof, the parties have decided to sign this Protocol.

For the delegation of the Republic of Mozambique:

(Signed) Armando Emílio Guebuza

For the delegation of RENAMO:

(Signed) Raul Manuel Domingos

The mediators:

(Signed) Mario Raffaelli

(Signed) Jaime Gonçalves

(Signed) Andrea Riccardi

(Signed) Matteo Zuppi

Done at Rome, on 12 March 1992

PROTOCOL IV

On 4 October 1992, the delegation of the Government of the Republic of Mozambique, headed by Armando Emílio Guebuza, Minister of Transport and Communications, and composed of Mariano de Araújo Matsinha, Minister without Portfolio, Aguiar Mazula, Minister of State Administration, Teodato Hunguana, Minister of Labour, Lieutenant-General Tobias Dai, Francisco Madeira, Diplomatic Advisor to the President of the Republic, Brigadier Aleixo Malunga, Colonel Fideles De Sousa, Major Justino Nrepo, Major Eduardo Lauchande, and the delegation of RENAMO, headed by Raul Manuel Domingos, Chief of the Organization Department, and composed of José De Castro, Chief of the External Relations Department, Agostinho Semende Murrial, Chief of the Information Department, José Augusto Xavier, Director-General of the Internal Administration Department, Major-General Hermínio Morais, Colonel Fernando Canivete, Lieutenant-Colonel Arone Julai, Lieutenant Antonio Domingos, meeting at Rome in the presence of the mediators, Mario Raffaelli, representative of the Italian Government and coordinator of the mediators, Jaime Gonçalves, Archbishop of Beira, Andrea Riccardi and Matteo Zuppi of the Community of San Egidio, and the observers of the United Nations and the Governments of the United States of America, France, the United Kingdom and Portugal, took up item 3 of the Agreed Agenda of 28 May 1991, entitled "Military questions", and agreed as follows:

I. Formation of the Mozambican Defence Force

i. General principles

1. The Mozambican Defence Force (FADM) shall be formed for service throughout the national territory.

2. The FADM:

(a) Has as its general purpose the defence and safeguarding of the country's sovereignty, independence and territory. During the period between the cease-fire and the time when the new Government takes office, the FADM may, under the FADM High Command, act in cooperation with the Police Command to protect civilian inhabitants against crime and violence of all kinds. Additional functions of the FADM shall be to provide assistance in crisis or emergency situations arising in the country as a result of natural disasters and to provide support for reconstruction and development efforts.

(b) Shall be non-partisan, career, professionally trained, and competent; it shall be made up exclusively of Mozambican citizens who are volunteers and are drawn from the forces of both Parties. It shall serve the country with professionalism and respect the democratic order and the rule of law. The composition of the FADM should preclude all forms of racial or ethnic discrimination or discrimination based on language or religious affiliation.

3. The process of forming the FADM shall begin after the entry into force of the cease-fire immediately following the inauguration of the Commission provided for in Protocol I of 18 October 1991, to be called the Supervisory and Monitoring Commission (CSC). This process shall be completed prior to the commencement of the election campaign.

4. The process of forming the FADM shall be conducted simultaneously with the concentration, disarmament and integration into civilian life of the personnel demobilized in stages as a result of the cease-fire. The Government and RENAMO shall be responsible for contributing units drawn from the existing forces of each side; this process shall proceed until the new units of the FADM have been formed, with all existing units being demobilized when the FADM has reached full strength.

5. The neutrality of the FADM during the period between the cease-fire and the time when the new Government takes office shall be guaranteed by the Parties through the Commission referred to in section I.iii.1.a of this Protocol.

6. By the time of the elections, only the FADM shall exist and shall have the structure agreed upon between the Parties; no other forces may remain in existence. All elements of the existing armed forces of the two Parties which are not incorporated into the FADM shall be demobilized during the period envisaged in section VI.i.3 of this Protocol.

ii. Personnel

1. The Parties agree that the troop strength of the FADM up until the time when the new Government takes office shall be as follows:

(a) Army: 24,000

(b) Air Force: 4,000

(c) Navy: 2,000

2. The personnel of the FADM in each of the service branches shall be provided by the FAM and the forces of RENAMO, each side contributing 50 per cent.

iii. FADM command structures 1/

1. The parties agree to establish a Joint Commission for the Formation of the Mozambican Defence Force (CCFADM) on the following basis:

1/ Annex No. 1.

(a) CCFADM shall have specific responsibility for overseeing the process of forming the FADM and shall operate under the authority of CSC;

(b) CCFADM is the body responsible for the formation of the FADM until the time when the new Government takes office. FADM shall be headed by a High Command (CS), which shall be subordinate to CCFADM. After the new Government takes office, the FADM shall be placed under the authority of the new Ministry of Defence or any other body which the new Government may establish;

(c) CCFADM shall be composed of representatives of the FAM and the RENAMO forces as members, who shall be assisted by representatives of the countries selected by the Parties to advise in the process of forming the FADM. CCFADM shall be inaugurated on the date of the entry into force of the cease-fire (E-Day);

(d) CCFADM shall draw up directives on the phasing of the establishment of the FADM structures and shall propose to CSC:

- The rules governing the FADM;
- The budget to be provided for the FADM until the new Government takes office;
- The criteria for selection and the selection of FAM personnel and RENAMO forces for the formation of the FADM;
- The names of the commanding officers of the main commands.

2. FADM High Command

(a) The general mission of CS shall be to act on the directives issued by CCFADM, taking into account the establishment of the FADM structures and support for the FADM;

(b) Until the new Government takes office, the command of FADM shall be exercised by two general officers of equal rank, appointed by each of the Parties. Decisions of the command shall be valid only when signed by these two general officers;

(c) The FADM command structure shall be strictly non-political and shall receive directives and orders only through the appropriate chain of command;

(d) The FADM shall have a single logistics service for all three branches. To that end, a Logistics and Infrastructure Command shall be established, under the authority of the FADM High Command;

(e) Appointments to the FADM High Command and the commands of the three branches of the FADM and the Logistics Command shall be proposed by CCFADM and approved by CSC;

(f) Until the new Government takes office, the FADM High Command shall be assisted by the General Staff, with departments headed by general officers or senior officers proposed by CCFADM and approved by CSC.

3. Command of the Army, Air Force and Navy and the Logistics Command:

The FADM High Command shall have authority over the Commands of the three service branches (Army, Air Force and Navy) and the Logistics Command, which shall be organized as follows:

(a) Army Command

1. The structure of the Army Command shall encompass the military regions under the direct authority of the Army Commander, whose functions are to be determined but which may include the organization and preparation of forces, training, justice, discipline and logistic support to assigned forces.

2. Each military region shall have a commanding officer holding the rank of general, who shall be assisted by a deputy commander.

3. The headquarters of the military regions shall be proposed by the Commander of the Army and approved by CS.

(b) Air Force Command

The Air Force shall be formed having regard to the training and skills of the personnel of the existing Air Force and the existing RENAMO forces, in accordance with the provisions of the directives issued by CCFADM.

(c) Navy Command

The Navy shall be formed having regard to the training and skills of the personnel of the existing Navy and the RENAMO forces, in accordance with the provisions of the directives issued by CCFADM.

(d) Logistics and Infrastructure Command

1. A Logistics and Infrastructure Command shall be set up under the direct authority of the FADM High Command.

2. The Logistics and Infrastructure Command shall have the overall mission of planning and providing administrative and logistic support for the FADM (Army, Air Force and Navy) and ensuring delivery of such support through the FADM General Services. It shall, in particular, be responsible for production and procurement logistics.

3. The Logistics and Infrastructure Command shall be headed by a general, assisted by a deputy commander and a general staff which shall, initially, include the following sections:

- Infrastructure;

- General services;

- Equipment;

- Finance.

4. The Logistics and Infrastructure Command shall have authority over such support units as may be assigned to it.

iv. Timetable for the process

(a) The formation of the FADM shall commence with the appointment of the following:

- CCFADM, prior to the entry into force of the cease-fire (E-Day);

- The FADM High Command on E-Day + 1;

- The commanders of the three service branches and the logistics command;

- The commanders of the military regions;

- The unit commanders.

(b) General staffs shall be organized immediately following the appointment of each command.

(c) The system of administrative and logistics support shall be organized taking into account the new size of the FADM, in accordance with the principle of utilizing or transforming existing structures on the basis of the plans of the FADM High Command, as approved by CCFADM.

v. Technical assistance of foreign countries

The parties shall inform the mediators within 7 (seven) days after the signing of the cease-fire protocol the countries which are to be invited to provide assistance in the process of forming the FADM.

II. Withdrawal of foreign troops from Mozambican territory

1. The withdrawal of foreign troops from Mozambican territory shall be initiated following the entry into force of the cease-fire (E-Day).

The Government of the Republic of Mozambique undertakes to negotiate the complete withdrawal of foreign forces and contingents from Mozambican territory with the Governments of the countries concerned.

The modalities and time-frame for the withdrawal shall not contravene any provision of the Cease-fire Agreement or the General Peace Agreement.

2. The Government of the Republic of Mozambique shall submit to CSC the deadlines and plans for implementation of the withdrawal, specifying the exact numbers of troops present in Mozambican territory and their location.

3. The complete withdrawal of foreign forces and contingents from Mozambican territory shall be monitored and verified by the Cease-fire Commission (CCF) referred to in paragraph VI.(i).2 of this Protocol. CCF shall inform CSC of the conclusion of the complete withdrawal of foreign forces from the national territory.

4. In accordance with its mandate CSC, through CCF, will, following the withdrawal of the foreign troops, assume immediate responsibility for verifying and ensuring security of strategic and trading routes, adopting the measures it deems necessary for the purpose.

III. Activities of private and irregular armed groups

1. Except as provided in paragraph 3 below, paramilitary, private and irregular armed groups active on the day of entry into force of the cease-fire shall be disbanded and prohibited from forming new groups of the same kind.

2. CCF shall monitor and verify the disbanding of the private and irregular armed groups and shall collect their weapons and ammunition. CSC shall decide the final disposition of the weapons and ammunition collected.

3. CSC may as a temporary measure organize the continued existence of security organizations for the purpose of ensuring the security of specified public or private infrastructures during the period between the cease-fire and the time when the new Government takes office.

4. These security organizations may be authorized to use weapons in the discharge of their duties. The activities of these organizations shall be monitored by CCF.

IV. Functioning of the National Service for People's Security

1. The parties agree that it is essential that the State information service should continue to function during the period between the entry into force of the cease-fire and the time when the new Government takes office, in order to ensure that the strategic information required by the State is made available and for the purpose of protecting the sovereignty and independence of the Republic of Mozambique.

2. For the purposes indicated above, the Parties agree that the State Information and Security Service (SISE) established by Act No. 20/91 of 23 August 1991 shall continue to perform its functions under the direct authority of the President of the Republic of Mozambique and subject to the following principles:

3. SISE shall:

(a) perform its duties and functions strictly in accordance with the spirit and the letter of internationally recognized democratic principles;

(b) respect the civil and political rights of citizens, as well as the internationally recognized human rights and fundamental freedoms;

(c) be guided in the performance of its functions by the interests of the State and the common welfare, in a manner free from any partisan or ideological considerations or regard for social standing and from any other form of discrimination;

(d) act at all times and in all respects in conformity with the terms and spirit of the General Peace Agreement.

4. SISE shall be composed, at all levels of the service, of citizens selected on the basis of criteria that are in conformity with the principles specified above.

5. (a) The measures taken by SISE, as well as all actions of its agents, shall at all times be governed by the law in force in the Republic of Mozambique and by the principles agreed upon in the General Peace Agreement;

(b) The activities and prerogatives of SISE shall be confined to the production of information required by the President of the Republic, within the limits authorized by the juridical order and in strict respect for the principles of the State ruled by law and for human rights and fundamental freedoms. The information thus obtained may in no case be used to limit the exercise of the democratic rights of citizens or to favour any political party;

(c) In no case may police functions be assigned to SISE.

6. The Director-General and Deputy Director-General of SISE shall be appointed by the President of the Republic of Mozambique.

7. (a) For purposes of verifying that the actions of SISE do not violate the legal order or result in violation of the political rights of citizens, a National Information Commission (COMINFO) shall be established;

(b) COMINFO shall be composed of 21 members whose professional and personal qualities and past record afford guarantees of balance, effectiveness and independence vis-à-vis all political parties;

(c) COMINFO shall be established by the President of the Republic of Mozambique within 15 days following the entry into force of the General Peace Agreement and shall be composed of six citizens nominated by RENAMO, six nominated by the Government, and nine selected as a result of consultations to be held by the President of the Republic with the political forces in the country from among citizens meeting the requirements specified in subparagraph (b);

(d) COMINFO shall have full powers to investigate any matter relating to the activity of SISE that is held to be contrary to the legal order and to the principles specified in paragraphs 1, 2, 3 and 5. A request for investigation may be rejected only by a two-thirds majority of its membership;

(e) COMINFO shall provide CSC with the reports and clarifications called for by the latter Commission;

(f) COMINFO shall inform the competent State authorities of any irregularities detected, in order that they may take the appropriate police or disciplinary measures.

V. Depoliticization and restructuring of the police forces

1. During the period between the entry into force of the cease-fire and the assumption of power by the new Government, the Police of the Republic of Mozambique (PRM) shall continue to perform its functions under the responsibility of the Government.

2. The Police of the Republic of Mozambique shall:

(a) perform its duties and functions strictly in accordance with the spirit and the letter of internationally recognized democratic principles;

(b) respect the civil and political rights of citizens, as well as the internationally recognized human rights and fundamental freedoms;

(c) be guided in the performance of its functions by the interests of the State and common welfare, in a manner free from any partisan or ideological considerations or regard for social standing and from any other form of discrimination;

(d) act at all times in conformity with the terms and spirit of the General Peace Agreement;

(e) act at all times with impartiality and independence vis-à-vis all political parties.

3. The PRM shall be composed of citizens selected on the basis of criteria that are in conformity with the principles specified above.

4. The basic tasks of the PRM shall be:

(a) to ensure respect for and defence of the law;

(b) to maintain public order and tranquillity and to prevent and suppress crime;

(c) to guarantee the existence of a climate of social stability and harmony.

5. (a) The measures taken by the PRM, as well as all actions of its agents, shall at all times be governed by the law and the legislative provisions in force in the Republic of Mozambique and by the principles agreed upon in the General Peace Agreement;

(b) The activities and prerogatives of the PRM shall be exercised within the limits authorized by the juridical order, but with strict respect for the principles of the State ruled by law and for human rights and fundamental freedoms. These activities may not be directed towards limiting the exercise of the democratic rights of citizens or favouring any political party.

6. The Commander and Deputy Commander of the PRM shall be appointed by the President of the Republic of Mozambique.

7. (a) For purposes of verifying that the actions of the PRM do not violate the legal order or result in violation of the political rights of citizens, a National Police Affairs Commission (COMPOL) shall be established;

(b) COMPOL shall be composed of 21 members whose professional and personal qualities and past record afford guarantees of balance, effectiveness and independence vis-à-vis all political parties;

(c) COMPOL shall be established by the President of the Republic of Mozambique within 15 days following the entry into force of the General Peace Agreement and shall be composed of six citizens nominated by RENAMO, six nominated by the Government, and nine selected as a result of consultations to be held by the President of the Republic with the political forces in the country from among citizens meeting the requirements specified in subparagraph (b);

(d) COMPOL shall have full powers to investigate any matter relating to the activity of PRM that is held to be contrary to the legal order and to the principles specified in paragraphs 1, 2, 4 and 5. On being apprised of a matter, the Commission shall conduct a preliminary internal analysis in order to determine whether it falls within the sphere of police activities. The Commission shall decide to proceed with the investigations if more than half of its members so agree;

(e) COMPOL shall submit systematic reports on its activities to CSC;

(f) COMPOL shall inform the competent State authorities of any irregularities detected, in order that they may take the appropriate judicial or disciplinary measures.

VI. Economic and social reintegration of demobilized soldiers

(i) Demobilization

1. Demobilization of the FAM and the forces of RENAMO means the process whereby, at the decision of the respective Parties, soldiers who on E-Day were members of those forces revert for all purposes to the status of civilians.

2. Cease-fire Commission

(a) On E-Day, the Cease-fire Commission (CCF) shall be established and begin its functions under the direct supervision of CSC.

(b) CCF shall be composed of representatives of the Government, RENAMO, the invited countries and the United Nations. CCF shall be presided over by the United Nations.

(c) CCF shall be based in Maputo and shall be structured as follows:

- Regional offices (North, Centre and South);

- Offices at the assembly and billeting locations of the two Parties.

(d) CCF shall have, inter alia, the function of implementing the demobilization process, with the following tasks:

- Planning and organization;

- Regulation of procedures;

- Direction and supervision;

- Registration of troops to be demobilized and issue of the respective identity cards;

- Collection, registration and custody of weapons, ammunition, explosives, equipment, uniforms and documentation; destroying or deciding on the other disposition of weapons, ammunition, explosives, equipment, uniforms and documentation as agreed by the Parties;

- Medical examinations;

- Issue of demobilization certificates.

(e) The United Nations shall assist in the implementation, verification and monitoring of the entire demobilization process.

3. Timetable

E-Day: Installation of CCF and commencement of its functions

E-Day + 30: Definition by both Parties of the troops to be demobilized; activation of demobilization structures and initiation of the process

E-Day + 60: Demobilization of at least 20 per cent of the total troops to be demobilized

E-Day + 90: Demobilization of at least a further 20 per cent of the total troops to be demobilized

E-Day + 120: Demobilization of at least a further 20 per cent of the total troops to be demobilized

E-Day + 150: Demobilization of at least a further 20 per cent of the total troops to be demobilized

E-Day + 180: End of demobilization of the troops to be demobilized.

(ii) Reintegration

1. The term "demobilized soldier" means an individual who:

- up until E-Day was a member of the FAM or the RENAMO forces;

- subsequent to E-Day was demobilized at the decision of the relevant command, and handed over the weapons, ammunition, equipment, uniform and documentation in his possession;

- has been registered and has received the relevant identity card;

- has received the demobilization certificate.

For all purposes, demobilized soldiers of both Parties shall become civilians and shall be accorded equal treatment by the State.

2. Reintegration Commission

(a) A Reintegration Commission (CORE) shall be established.

CORE shall operate under the direct authority of CSC and shall initiate its functions on E-Day.

(b) CORE shall be composed of representatives of the Government and RENAMO, representatives of the invited countries, a representative of the United Nations, who shall preside, and representatives of other international organizations.

(c) CORE shall be based at Maputo and shall be structured as follows:

- Regional offices (North, Centre and South);

- Provincial offices in each provincial capital.

(d) The assignment of CORE shall be to effect the economic and social reintegration of demobilized soldiers, and it shall for this purpose conduct the following tasks:

- Planning and organization;

- Regulation of procedures;

- Direction and supervision;

- Monitoring.

3. Resources

The economic and social reintegration of demobilized soldiers (demobilization allowances, technical and/or vocational training, transport, etc.) will depend on the resources made available within the framework of the Donor Conference as referred to in item 6 of the Agreed Agenda of 28 May 1991.

In witness whereof, the Parties have decided to sign the present Protocol.

For the delegation of the Government of the Republic of Mozambique:

(Signed) Armando Emílio Guebuza

For the delegation of RENAMO:

(Signed) Raul Manuel Domingos

The mediators:

(Signed) Mario Raffaelli

(Signed) Jaime Gonçalves

(Signed) Andrea Riccardi

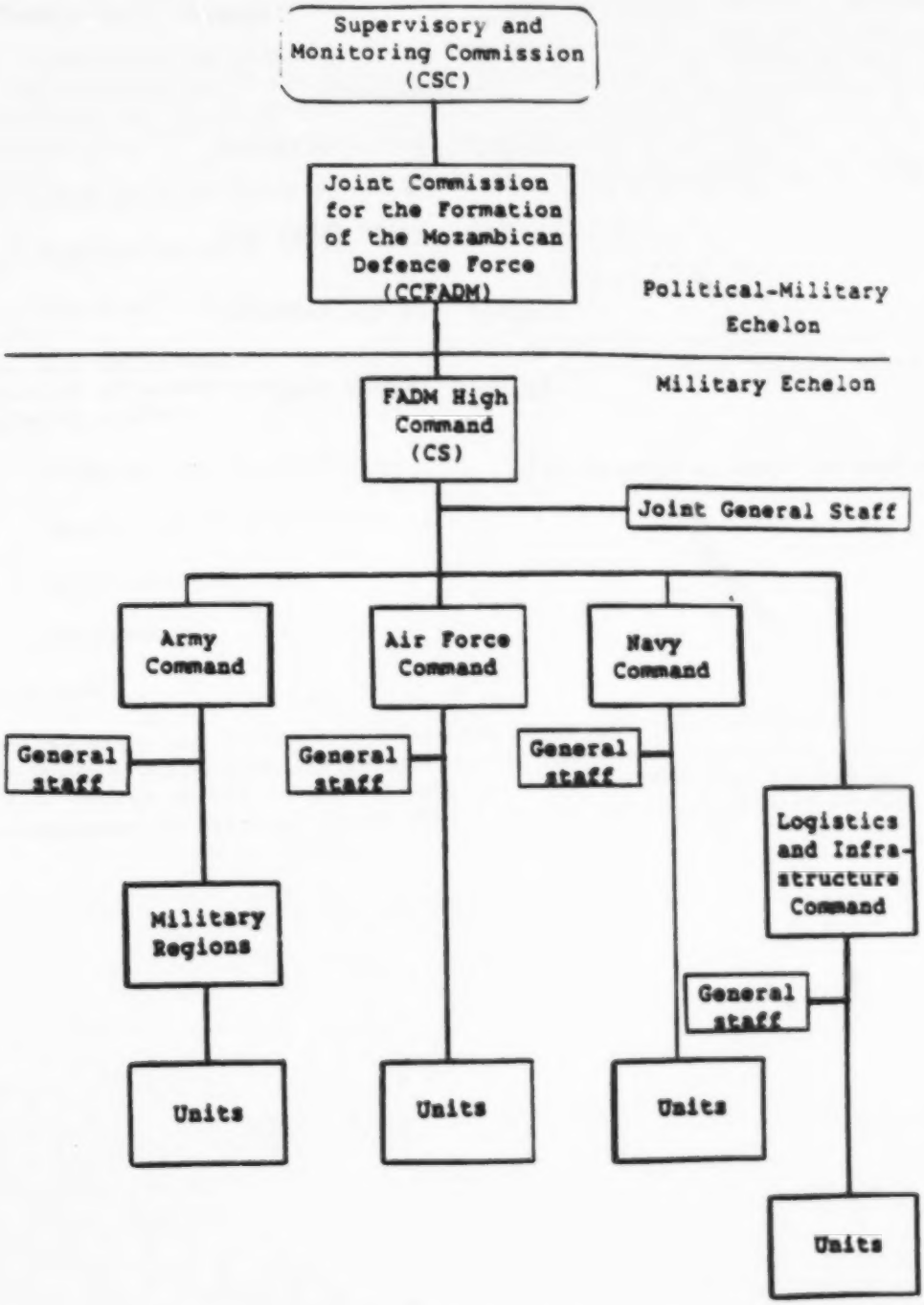
(Signed) Matteo Zuppi

San Egidio, Rome, 4 October 1992

ANNEX 1

MOZAMBICAN DEFENCE FORCE

COMMAND STRUCTURE



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PROTOCOL V

On 4 October 1992, the delegation of the Government of the Republic of Mozambique, headed by Armando Emílio Guebuza, Minister of Transport and Communications, and composed of Mariano de Araújo Matsinha, Minister without Portfolio, Aguiar Mazula, Minister of State Administration, Teodato Hunguana, Minister of Labour, Lieutenant-General Tobias Dai, Francisco Madeira, Diplomatic Adviser to the President of the Republic, Brigadier Aleixo Malunga, Colonel Fideles De Sousa, Major Justino Nrepo and Major Eduardo Lauchande, and the delegation of RENAMO, headed by Raul Manuel Domingos, Chief of the Organization Department, and composed of José De Castro, Chief of the External Relations Department, Agostinho Semende Murrial, Chief of the Information Department, José Augusto Xavier, Director-General of the Internal Administration Department, Major-General Hermínio Morais, Colonel Fernando Canivete, Lieutenant-Colonel Arone Julai, and Lieutenant António Domingos, meeting at Rome in the presence of the mediators, Mario Raffaelli, representative of the Italian Government and coordinator of the mediators, Jaime Gonçalves, Archbishop of Beira, Andrea Riccardi and Matteo Zuppi, of the Community of San Egidio, and observers from the United Nations and the Governments of the United States of America, France, the United Kingdom and Portugal, took up item 5 of the Agreed Agenda of 28 May 1991, entitled "Guarantees", and agreed as follows:

I. Timetable for the conduct of the electoral process

1. The elections to the Assembly of the Republic and the post of President of the Republic shall be held simultaneously and shall take place one year after the date of signature of the General Peace Agreement, as provided for in Protocol III.

2. Further to the provisions set forth in Protocol III, the Parties also agree as follows:

(a) By E-Day + 60, the Government shall establish the National Elections Commission provided for in Protocol III;

(b) Immediately following the signature of the General Peace Agreement, the Government, for purposes of the provisions of Protocol III, shall request technical and material support from the United Nations and OAU;

(c) The Government shall draft the Electoral Act in consultation with RENAMO and the other parties within at most two months from the adoption by the Assembly of the Republic of the legal instruments incorporating the Protocols and guarantees, as well as the General Peace Agreement, into Mozambican law. The approval and publication of the Electoral Act shall take place within at most one month following the completion of its drafting;

(d) Within 60 days following the signature of the General Peace Agreement, the Government and RENAMO shall agree on the observers to be invited for the electoral process. The Government shall draw up the corresponding invitations;

(e) The election campaign shall begin 45 days before the date of the elections;

(f) By the date of commencement of the election campaign, all parties taking part must have been registered and have submitted their lists of candidates as well as their respective symbols;

(g) By the date of commencement of the election campaign, the candidates for the Presidency of the Republic must have submitted their candidacies in conformity with the legally prescribed requirements;

(h) The election campaign shall conclude 48 hours before the start of voting;

(i) The elected Assembly of the Republic shall take office 15 days after the publication of the lists giving the results of the election. The lists giving the results of the election shall be published not more than eight days after the closure of voting;

(j) The investiture of the elected President of the Republic shall take place one week after the elected Assembly of the Republic has taken office.

II. Commission to supervise the cease-fire and monitor respect for and implementation of the agreements between the Parties within the framework of these negotiations: its composition and powers

1. Pursuant to Protocol I, the Supervisory and Monitoring Commission (CSC) is established, which shall begin operating upon appointment of its Chairman by the Secretary-General of the United Nations.

2. This Commission shall be composed of representatives of the Government, RENAMO, the United Nations, OAU and the countries to be agreed upon by the Parties. The Commission shall be chaired by the United Nations and shall be based at Maputo.

3. The decisions of CSC shall be taken by consensus between the two Parties.

4. CSC shall draw up its own Rules of Procedure and may whenever it sees fit establish subcommissions additional to those provided for in paragraph II.7 of the present Protocol.

5. CSC shall in particular:

(a) Guarantee the implementation of the provisions contained in the General Peace Agreement;

(b) Guarantee respect for the timetable specified for the cease-fire and the holding of the elections;

(c) Assume responsibility for the authentic interpretation of the agreements;

(d) Settle any disputes that may arise between the Parties;

(e) Guide and coordinate the activities of the subsidiary commissions referred to in paragraph II.7 of this Protocol.

6. CSC shall cease to function when the new Government takes office.

7. CSC shall have under it the following Commissions:

(a) The Joint Commission for the Formation of the Mozambican Defence Force (CCFADM)

Its powers shall be those specified in Protocol IV, paragraph I (iii) on the formation of the Mozambican Defence Force. CCFADM shall be composed of representatives of the Parties and of the Governments selected by the Parties before the signing of the General Peace Agreement to provide assistance in the process of formation of the FADM in conformity with the provisions of Protocol IV, section I.

(b) The Cease-fire Commission (CCF)

Its composition and powers shall be those indicated in Protocol IV, section VI and Protocol VI, section I.

(c) Reintegration Commission (CORE)

Its composition and powers shall be those specified in Protocol IV, section VI.

III. Specific guarantees for the period from the cease-fire to the holding of the elections

1. The Government of the Republic of Mozambique shall submit a formal request to the United Nations for its participation in monitoring and guaranteeing the implementation of the General Peace Agreement, in particular the cease-fire and the electoral process, with immediate priority to coordinating and making available food, medical attention and all other forms

of support necessary at the assembly and billeting locations for the forces as provided in Protocol VI.

2. With the means available to it and with the assistance of the international community, the Government of the Republic of Mozambique shall make available to CSC and its subsidiary commissions the logistical support required for their functioning.

3. The Government of the Republic of Mozambique shall send formal requests to the Governments and organizations selected by the two Parties to participate in the commissions agreed upon above.

4. The resources and facilities specified in Protocol III, paragraph 7 (b) shall be made available by the Government of Mozambique as from the date of incorporation of the General Peace Agreement into Mozambican law by the Assembly of the Republic. The major part of this process shall have been concluded by E-day.

5. The committee provided for in the Joint Declaration of 16 July 1992 shall exercise its functions before CSC takes office. CSC may if necessary decide to extend the activities of that committee, and establish guidelines for its operations to that end.

6. The Government of the Republic of Mozambique shall draw up in agreement with RENAMO and the relevant United Nations agencies, in accordance with Protocol III, the plan for assistance to refugees and displaced persons, which shall be submitted to the donors' conference the holding of which is agreed upon in Protocol VII.

7. Between the entry into force of the cease-fire and the time when the new Government takes office, the entry of foreign troops or contingents into Mozambican territory shall not be permitted except in the cases agreed to by CSC.

8. RENAMO shall be responsible for the immediate personal security of its top leaders. The Government of the Republic of Mozambique shall grant police status to the members of RENAMO assigned to guarantee that security.

9. Guarantee of legality, stability and tranquillity throughout the territory of the Republic of Mozambique.

(a) The Parties recognize that the public administration in the Republic of Mozambique during the period between the entry into force of the cease-fire and the time when the new Government takes office will continue to obey the law in force and to be conducted through the institutions provided for by law.

(b) The public administration shall guarantee public tranquillity and stability, and seek to ensure the maintenance of peace and the creation of the climate required for the holding of fair and free general and presidential elections in accordance with the provisions of the General Peace Agreement and the Electoral Act.

(c) The two Parties undertake to guarantee that the laws and legislative provisions of the Republic of Mozambique, as well as the civil and political rights of citizens and human rights and fundamental freedoms, shall be respected and guaranteed in all parts of the national territory in conformity with Protocol I of 18 October 1991.

(d) In order to ensure greater tranquillity and stability in the period between the entry into force of the cease-fire and the time when the new Government takes office, the Parties agree that the institutions provided for by law for the conduct of the public administration in the areas controlled by RENAMO shall employ only citizens resident in those areas, who may be members of RENAMO. The State shall accord such citizens and the institutions staffed by them the respect, treatment and support required for the discharge of their duties, on the basis of strict equality and without any discrimination in relation to others performing similar functions and institutions at the same level in other areas of the country.

The relationship between the Ministry of State Administration and the administration in the areas controlled by RENAMO shall be conducted through a National Commission constituted by the Parties for the purpose of facilitating collaboration and good understanding. This Commission shall be composed of four representatives of each of the Parties and shall begin operating 15 days after the signature of the General Peace Agreement.

(e) The Government undertakes to respect and not antagonize the traditional structures and authorities where they are currently de facto exercising such authority, and to allow them to be replaced only in those cases where that is called for by the procedures of local tradition themselves.

(f) The Government undertakes not to hold local, district or provincial elections or elections to administrative posts in advance of the forthcoming general elections.

(g) The Parties undertake to guarantee throughout the national territory the exercise of democratic rights and freedoms by all citizens, as well as the performance of party work by all political parties.

(h) The Parties guarantee access by the Commissions provided for in the General Peace Agreement, the representatives and officials of the State institutions provided for by law and their officials to any part of the national territory to which they may need to proceed on official business, as well as the right to freedom of movement in all locations not restricted by any legislative measure, instrument or rule.

IV. CONSTITUTIONAL ISSUES

The Joint Declaration of 7 August 1992 signed by Joaquim Alberto Chissano, President of the Republic of Mozambique, and Afonso Mecacho Marceta Dhlakama, President of RENAMO, constitutes an integral part of the General Peace Agreement. Accordingly, the principles embodied in Protocol I shall also apply with respect to the problem of constitutional guarantees raised by RENAMO and illustrated in the document submitted to the President of the Republic of Zimbabwe, Robert Gabriel Mugabe, at Gaborone, Botswana, on 4 July 1992. To this end, the Government of the Republic of Mozambique shall submit to the Assembly of the Republic for adoption legal instruments incorporating the Protocols, the guarantees and the General Peace Agreement into Mozambican law.

In witness whereof, the Parties have decided to sign the present Protocol.

For the delegation of the Government of the Republic of Mozambique:

(Signed) Armando Emílio Guebuza

For the delegation of RENAMO:

(Signed) Raul Manuel Domingos

The mediators:

(Signed) Mario Raffaelli

(Signed) Jaime Gonçalves

(Signed) Andrea Riccardi

(Signed) Matteo Zuppi

San Egidio, Rome, 4 October 1992

PROTOCOL VI

On 4 October 1992, the delegation of the Government of the Republic of Mozambique, headed by Armando Emílio Guebuza, Minister of Transport and Communications, and composed of Mariano de Araújo Matsinha, Minister without Portfolio, Aguiar Mazula, Minister of State Administration, Teodata Hunguana, Minister of Labour, Lieutenant-General Tobias Dai, Francisco Madeira, Diplomatic Adviser to the President of the Republic, Brigadier Aleixo Malunga, Colonel Fideles De Sousa, Major Justino Nrepo and Major Eduardo Lauchande, and the delegation of RENAMO, headed by Raul Manuel Domingos, Chief of the Organization Department, and composed of José De Castro, Chief of the External Relations Department, Agostinho Semende Murrial, Chief of the Information Department, José Augusto Xavier, Director-General of the Internal Administration Department, Major General Hermínio Morais, Colonel Fernando Canivete, Lieutenant Colonel Arone Julai and Lieutenant António Domingos, meeting at Rome in the presence of the mediators, Mario Raffaelli, representative of the Italian Government and coordinator of the mediators, Jaime Gonçalves, Archbishop of Beira, Andrea Riccardi and Matteo Zuppi, of the Community of San Egidio, and observers from the United Nations and the Governments of the United States of America, France, the United Kingdom and Portugal, took up item 4 of the Agreed Agenda of 28 May 1991, entitled "Cease-fire", and agreed as follows:

I. Cessation of the armed conflict

1. The cessation of the armed conflict (CAC) is a brief, dynamic and irreversible process of predetermined duration which must be implemented throughout the national territory of Mozambique.

The implementation of the process shall be the responsibility of the Government of the Republic of Mozambique and of RENAMO, acting within the framework of the Cease-fire Commission (CCF). The CCF is answerable to the CSC, the organ responsible for the overall political supervision of the cease-fire.

The CCF shall be composed of representatives of the Government, and countries accepted by them and a representative of the United Nations, who shall preside.

2. The CCF, which shall be structured as stipulated in Protocol IV, paragraph VI (i) (2), shall have the following functions:

- to plan, verify and guarantee the implementation of the cease-fire rules;

- to set itineraries for the movement of forces, in order to reduce the risk of incidents;

- to organize and implement mine-clearing operations;

- to analyse and verify the accuracy of the statistics provided by the Parties on troop strength, arms and military equipment;

- to receive, analyse and rule on complaints of possible cease-fire violations;

- to ensure the necessary coordination with organs of the United Nations verification system;

- the functions provided for in sections II, III and VI of Protocol IV.

3. The CAC shall begin on E-Day and end on E-Day + 180.

4. The CAC consists of 4 (four) phases:

- cease-fire;

- separation of forces;

- concentration of forces;

- demobilization.

5. The cease-fire

The Parties agree that:

(a) The cease-fire shall enter into force on E-Day.

E-Day is the day on which the General Peace Agreement is adopted by the Assembly of the Republic and incorporated into Mozambican law. The deployment of United Nations personnel in Mozambican territory to verify the cease-fire shall begin the same day.

(b) As of E-Day, neither of the Parties shall carry out any hostile act or operation by means of forces or individuals under its control. Accordingly, they may not:

- carry out any kind of attack by land, sea or air;

- organize patrols or offensive manoeuvres;

- occupy new positions;

- lay mines and prevent mine-clearing operations;

- interfere with military communications;

- carry out any kind of reconnaissance operations;

- carry out acts of sabotage and terrorism;

- acquire or receive lethal equipment;

- carry out acts of violence against the civilian population;

- restrict or prevent without justification the free movement of persons and property;

- carry out any other military activity which, in the opinion of the CCF and the United Nations, might jeopardize the cease-fire.

In performing their functions, the CCF and the United Nations shall enjoy complete freedom of movement throughout the territory of Mozambique.

(c) On E-Day, the United Nations shall begin official verification of compliance with the undertaking described in paragraph (b), investigating any alleged violation of the cease-fire. Any duly substantiated violation shall be reported by the United Nations at the appropriate level;

(d) During the period between the signing of the General Peace Agreement and E-Day, the two Parties agree to observe a complete cessation of hostilities and of the activities described in paragraph (b), in order to allow the United Nations to deploy its personnel in the territory to verify all aspects of the CAC as of E-Day.

6. Separation of forces.

The Parties agree that:

(a) The purpose of the separation of forces is to reduce the risk of incidents, to build trust and to allow the United Nations effectively to verify the commitments assumed by the Parties;

(b) The separation of forces shall last 6 (six) days, from E-Day to E-Day + 5;

(c) During this period, the FAM shall proceed to the barracks, bases, existing semi-permanent facilities and other locations listed in annex A;

(d) During the same period, the RENAMO forces shall proceed to the locations listed in annex B;

(e) The locations listed in the above-mentioned annexes shall be those agreed to between the Parties and the United Nations no later than 7 (seven) days after the signing of the General Peace Agreement. The lists shall specify the name and site of the 29 assembly and billeting points for the FAM and the 20 such points for the RENAMO forces;

(f) Accordingly, by 2400 hours on E-Day + 5, the FAM and the RENAMO forces must be in the locations listed in annexes A and B respectively;

(g) All movements shall take place under the supervision and coordination of the United Nations. Neither Party may prevent or jeopardize the movements of the other Party's forces. The United Nations shall supervise all the locations listed in annexes A and B and shall in principle be present 24 hours a day in each of those locations as of E-Day;

(h) During this period of 6 (six) days, no force or individual shall be able to leave assembly and billeting points except to seek medical care or for other humanitarian reasons, and then only with the authorization and under the supervision of the United Nations. In each location, the commander of the troops shall be responsible for maintaining order and discipline and for ensuring that the troops conduct themselves in accordance with the principles and the spirit of this Protocol.

7. Concentration of forces

The Parties agree that:

(a) The concentration of forces shall begin on E-Day + 6 and end on E-Day + 30;

(b) During this period, the FAM shall concentrate in the normal peacetime barracks and military bases listed in annex C;

(c) During the same period, the RENAMO forces shall go to the assembly and billeting points listed in annex D;

(d) All movements shall take place under the supervision and coordination of the United Nations and shall be subject to the same conditions as those established for the separation of forces;

(e) All the main military facilities of the two Parties which cannot be moved to assembly and billeting points, such as military hospitals, logistical units and training facilities, shall be subject to verification <u>in situ</u>. These locations must also be specified no later than 7 (seven) days after the signing of the General Peace Agreement;

(f) Each assembly and billeting point shall be run by a military commander appointed by the corresponding Party. The military commander is responsible for maintaining the order and discipline of troops, distributing food and ensuring liaison with the organs for the verification and supervision of the cease-fire.

In the event of an incident or a cease-fire violation, the military commander must take immediate steps to avoid an escalation and put a stop to the incident or violation. Any incident or violation shall be reported to the senior level of the command structure and to the cease-fire verification and supervision organs;

(g) Arrangements for the security of each assembly and billeting point shall be agreed between the corresponding commander and the CCF, with the knowledge of the United Nations. The military unit stationed in each location shall provide its own security. Each assembly and billeting point shall cover an area with a maximum radius of five kilometres. Individual weapons and the necessary ammunition shall be distributed only to the security staff of assembly and billeting points;

(h) Each location must have the capacity to accommodate at least 1,000 soldiers.

8. Demobilization

Shall take place as stipulated in section VI of Protocol IV.

9. Formation of the FADM

Shall take place as stipulated in section I of Protocol IV.

10. Miscellaneous provisions.

(a) The Parties agree to the following:

1. To supply the United Nations with complete inventories of their troop strength, arms, ammunition, mines and other explosives on E-Day-6, E-Day, E-Day + 6, E-Day + 30 and, thereafter, every 15 days;

2. To allow the United Nations to verify the aspects and data referred to in the preceding paragraph;

3. As of E-Day + 31, all collective and individual weapons, including weapons on board aircraft and ships, shall be stored in warehouses under United Nations control;

4. As of E-Day + 6, troops shall be able to leave their respective assembly and billeting points only with the authorization and under the supervision of the United Nations;

(b) As of E-Day, the naval and air force components of the FAM shall refrain from carrying out any offensive operation. They may carry out only such non-hostile missions as are necessary for the discharge of their duties unrelated to the armed conflict. All air force flight plans must be communicated in advance to the United Nations. Aircraft may not, in any case, be armed and may not overfly assembly and billeting points;

(c) The foreign forces currently present in the territory of Mozambique must also respect the agreed cease-fire as of E-Day. In accordance with section II of Protocol IV, on E-Day the Government of the Republic of Mozambique shall communicate to the United Nations and the CSC the plans for the withdrawal of foreign troops from Mozambican territory. These plans shall

include the numbers and equipment of such troops. Withdrawal shall begin on E-Day + 6 and end on E-Day + 30. All movements must be coordinated and verified by the CCF;

(d) The Parties agree that, as of E-Day, they shall end all hostile propaganda, both internal and external;

(e) Border control as of E-Day shall be provided by the immigration services and the police.

II. Operational timetable for the cease-fire

E-Day:	Entry into force of the cease-fire and beginning of United Nations verification
	Beginning of the cessation of the armed conflict (CAC)
	Beginning of the separation of forces phase
E-Day + 5:	End of the separation of forces phase
E-Day + 6:	Beginning of the concentration of forces phase
	Beginning of the withdrawal of foreign forces and contingents from the country
E-Day + 30:	End of the concentration of forces phase
	End of the withdrawal of foreign forces and contingents from the country
E-Day + 31:	Beginning of the demobilization phase
E-Day + 180:	End of the demobilization phase and of the CAC.

III. Release of prisoners, except for those being held for ordinary crimes

1. All prisoners who are being held on E-Day, except for those held for ordinary crimes, shall be released by the Parties.

2. The International Committee of the Red Cross, together with the Parties, shall agree on the arrangements for and the verification of the prisoner release process referred to in paragraph 1 above.

In witness whereof, the Parties have decided to sign this Protocol.

For the delegation of the Republic of Mozambique:

(Signed) Armando Emílio Guebuza

For the delegation of RENAMO:

(Signed) Raul Manuel Domingos

The mediators:

(Signed) Mario Raffaelli

(Signed) Jaime Gonçalves

(Signed) Andrea Riccardi

(Signed) Matteo Zuppi

San Egidio, Rome, 4 October 1992

PROTOCOL VII

On 4 October 1992, the delegation of the Government of the Republic of Mozambique, headed by Armando Emílio Guebuza, Minister of Transport and Communications, and composed of Mariano de Araújo Matsinha, Minister without Portfolio, Aguiar Mazula, Minister of State Administration, Teodata Hunguana, Minister of Labour, Lieutenant-General Tobias Dai, Francisco Madeira, Diplomatic Adviser to the President of the Republic, Brigadier Aleixo Malunga, Colonel Fideles De Sousa, Major Justino Nrepo and Major Eduardo Lauchande, and the delegation of RENAMO, headed by Raul Manuel Domingos, Chief of the Organization Department, and composed of José De Castro, Chief of the External Relations Department, Agostinho Semende Murrial, Chief of the Information Department, José Augusto Xavier, Director-General of the Internal Administration Department, Major General Hermínio Morais, Colonel Fernando Canivete, Lieutenant Colonel Arone Julai and Lieutenant António Domingos, meeting at Rome in the presence of the mediators, Mario Raffaelli, representative of the Italian Government and coordinator of the mediators, Jaime Gonçalves, Archbishop of Beira, Andrea Riccardi and Matteo Zuppi, of the Community of San Egidio, and observers from the United Nations and the Governments of the United States of America, France, the United Kingdom and Portugal, took up item 6 of the Agreed Agenda of 28 May 1991, entitled "Donors' conference", and agreed as follows:

1. The Parties decide to request the Italian Government to convene a conference of donor countries and organizations to finance the electoral process, emergency programmes and programmes for the reintegration of displaced persons, refugees and demobilized soldiers.

2. The Parties agree to request that, of the funds provided by donor countries, an appropriate share should be placed at the disposal of political parties to finance their activities.

3. The Parties appeal for the donors' conference to be convened no later than 30 days after E-Day. In addition to donor countries and organizations, the Government and RENAMO shall also be invited to send representatives.

In witness whereof, the Parties have decided to sign this Protocol.

For the delegation of the
Republic of Mozambique:

(Signed) Armando Emílio Guebuza

For the delegation of RENAMO:

(Signed) Raul Manuel Domingos

The mediators:

(Signed) Mario Raffaelli

(Signed) Jaime Gonçalves

(Signed) Andrea Riccardi

(Signed) Matteo Zuppi

San Egidio, Rome, 4 October 1992

JOINT COMMUNIQUE

From 8 to 10 July 1990, at the headquarters of the Community of San Egidio, Rome, a direct meeting took place between a delegation of the Government of the People's Republic of Mozambique, headed by Armando Emílio Guebuza, Minister of Transport and Communications, and a delegation of RENAMO, headed by Raul Manuel Domingos, Chief of the External Relations Department.

Mario Raffaelli, representative of the Government of the Italian Republic, Andrea Riccardi and Matteo Zuppi, both of the Community of San Egidio, and Jaime Gonçalves, Archbishop of Beira, attended the meeting as observers.

The two delegations, acknowledging themselves to be compatriots and members of the great Mozambican family, expressed satisfaction and pleasure at this direct, open and frank meeting, the first to take place between the two parties.

The two delegations expressed interest and willingness to do everything possible to conduct a constructive search for a lasting peace for their country and their people.

Taking into account the higher interests of the Mozambican nation, the two parties agreed that they must set aside what divides them and focus, as a matter of priority, on what unites them, in order to establish a common working basis so that, in a spirit of mutual understanding, they can engage in a dialogue in which they discuss their different points of view.

The two delegations affirmed their readiness to dedicate themselves fully, in a spirit of mutual respect and understanding, to the search for a working basis from which to end the war and create the necessary political, economic and social conditions for building a lasting peace and normalizing the life of all Mozambican citizens.

At the close of the meeting, the two delegations decided to meet again in due course at Rome, in the presence of the same observers. They expressed satisfaction and gratitude for the spirit of friendship and the hospitality and support shown them by the Italian Government and by all those who helped make this meeting possible.

Done at San Egidio, Rome, on 10 July 1990.

For the delegation of the
Government of the People's
Republic of Mozambique:

(Signed) Armando Emílio Guebuza

For the delegation of RENAMO:

(Signed) Raul Manuel Domingos

Observers:

(Signed)

San Egidio, Rome, 10 July 1990

DECLARATION BY THE GOVERNMENT OF THE REPUBLIC OF MOZAMBIQUE AND RENAMO ON THE GUIDING PRINCIPLES FOR HUMANITARIAN ASSISTANCE

On 16 July 1992, the delegation of the Government of the Republic of Mozambique, headed by Armando Emílio Guebuza, Minister of Transport and Communications, and the delegation of RENAMO, headed by Raul Manuel Domingos, Chief of the Organization Department, in the presence of the mediators, of observers and of representatives of international organizations, agreed to adopt the following Declaration:

Considering that, for the population, the consequences of the armed conflict have been seriously aggravated by the worst drought in 50 years in the country and the region,

Determined to mobilize every resource to alleviate starvation and prevent deaths in Mozambique,

While pursuing efforts to reach a total peace agreement in Mozambique as soon as possible,

Reaffirming the principles for humanitarian assistance contained in resolution 46/182 of the United Nations General Assembly,

Reaffirming the understanding reached in December 1990 between the Government, RENAMO and the International Committee of the Red Cross on the principles of free movement of populations and assistance for all Mozambicans wherever they might be,

I. The Government and RENAMO solemnly agree and undertake to observe the following guiding principles for humanitarian assistance:

(a) Assistance shall go to all affected Mozambicans, freely and without discrimination;

(b) Freedom of movement and respect shall be guaranteed for persons and means which, under the flag of the United Nations or of ICRC, are engaged in humanitarian actions and are not accompanied by military escorts;

(c) The freedom and neutrality of humanitarian assistance shall be recognized and respected;

(d) Access shall be permitted to the entire affected population, using all means of transport;

(e) The use of all means for the rapid, expeditious distribution of humanitarian assistance shall be permitted and facilitated;

(f) Freedom of movement shall be guaranteed for all personnel who, under United Nations/ICRC auspices, are responsible for identifying populations in need, priority areas, means of transport and access routes and for supervising the distribution of assistance;

(g) Persons shall be allowed freedom of movement to enable them to have full access to humanitarian assistance.

II. In order to provide relief in situations of extreme urgency, which already exist in the country, the parties agree to:

(a) Immediately permit and facilitate air traffic to all points in the country, for transporting humanitarian assistance and whatever personnel is considered necessary and viable;

(b) To the same end, to permit and facilitate the immediate use and rehabilitation, where necessary, of other access routes to affected populations, including routes coming from neighbouring countries, as agreed to by the parties and communicated by the committee referred to in paragraph V of this Declaration.

III. In addition, the Government and RENAMO will continue their negotiations with a view to reaching, as soon as possible, an agreement on the opening of roads and the removal of all obstacles which might prevent the distribution of humanitarian assistance.

IV. The Government and RENAMO undertake not to derive military advantages from humanitarian assistance operations carried out under this Declaration.

V. Both parties agree that the coordination and supervision of all humanitarian assistance operations carried out under this Declaration shall be the responsibility of a committee presided over by the United Nations. This committee shall be made up of the mediators, the observers to the Rome negotiations and ICRC. The mediators will also have the task of verifying respect for this Declaration and for bringing any complaints or protests to the negotiating table.

The committee will report to the parties, in due course, on the operational details.

VI. Both parties agree to participate and cooperate with the international community in Mozambique in formulating action plans, with a view to implementing such plans in accordance with this Declaration. The committee will coordinate such activities. To that end, RENAMO will appoint its representative in the framework of and in accordance with the procedures of the COMIVE, who shall have the status provided for therein.

VII. Both parties undertake to comply strictly with the terms of this Declaration and agree that any violation substantiated by the committee may be communicated to the international community.

VIII. This Declaration shall be disseminated as widely as possible in Mozambique.

For the delegation of the Government of the Republic of Mozambique:

(Signed) Armando Emílio Guebuza

For the delegation of RENAMO:

(Signed) Raul Manuel Domingos

The mediators:

(Signed) Mario Raffaelli

(Signed) Jaime Gonçalves

(Signed) Andrea Riccardi

(Signed) Matteo Zuppi

Done at San Egidio, Rome, on 16 July 1992

JOINT DECLARATION

We, Joaquim Alberto Chissano, President of the Republic of Mozambique, and Afonso Macacho Marceta Dhlakama, President of RENAMO,

Meeting at Rome in the presence of His Excellency Mr. Robert Gabriel Mugabe, President of the Republic of Zimbabwe; His Excellency Mr. Emilio Colombo, Minister for Foreign Affairs of the Republic of Italy; the representative of His Excellency the President of the Republic of Botswana, Ms. Gaositwe Keagakwa Tibe Chiepe, Minister for Foreign Affairs; the mediators of the peace process, Mario Raffaelli, representative of the Italian Government and coordinator of the mediators, Jaime Gonçalves, Archbishop of Beira, Andrea Riccardi and Matteo Zuppi, of the Community of San Egidio,

Recognizing that

The achievement of peace, democracy and national unity based on national reconciliation is the greatest aspiration and desire of the entire Mozambican people,

In pursuit of this goal, the peace process was launched at Rome between the Government of the Republic of Mozambique and RENAMO, assisted by mediators from the Italian Government, the Community of San Egidio and the Catholic Church of Mozambique,

Important results have been achieved thus far, as exemplified and demonstrated by the signing of the partial cease-fire agreement of 1 December 1990 and the adoption of the following protocols and agreements:

(i) Agreed Agenda of 28 May 1991, and the amendments made thereto by the Act of 19 June 1992;

(ii) Protocol I "Basic principles", signed on 18 October 1991;

(iii) Protocol II "Criteria and arrangements for the formation and recognition of political parties", signed on 13 November 1991;

(iv) Protocol III "Principles of the Electoral Act", signed on 12 March 1992;

(v) Act of 2 July 1992 on improving the functioning of the COMIVE;

(vi) Declaration on guiding principles for humanitarian assistance, signed on 16 July 1992,

Supplementing these efforts in the search for peace, democracy and national unity based on reconciliation in Mozambique, a meeting was held at Gaborone, Botswana, on 4 July 1992 between His Excellency Mr. Robert Gabriel Mugabe, President of the Republic of Zimbabwe, and

His Excellency Sir Ketumile Masire, President of the Republic of Botswana, on the one hand, and Mr. Afonso Macacho Marceta Dhlakama, President of RENAMO, on the other,

Following which the President of the Republic of Mozambique, Mr. Joaquim Alberto Chissano, was briefed in detail by the President of Zimbabwe on 19 July 1992,

Whereas Mr. Afonso Macacho Marceta Dhlakama declared his readiness to sign an immediate cease-fire if certain guarantees were provided and arrangements were made for the security of both himself and members of RENAMO, and if his party was given freedom to organize and campaign without interference or hindrance,

Considering his request for guarantees to enable RENAMO to operate freely as a political party after the signing of the General Peace Agreement,

Convinced that the suffering of the Mozambican people as a result of the war, exacerbated by the consequences of the worst drought in living memory, demands that rapid steps be taken to end the war,

Recognizing the need for the immediate restoration of peace in Mozambique,

Reaffirming the commitment of the Government of the Republic of Mozambique and of RENAMO to end the hostilities in Mozambique,

Determined to do everything possible to end the disaster brought about by the combined consequences of war and drought in our country,

Appreciating the progress made in the Rome peace negotiations between our respective delegations,

Considering the spirit of the Gaborone meeting of 4 July 1992,

Accordingly, commit ourselves to the following:

(i) To guarantee conditions permitting complete political freedom, in accordance with the internationally recognized principles of democracy;

(ii) To guarantee the personal safety of all Mozambican citizens and all members of political parties;

(iii) To accept the role of the international community, particularly the United Nations, in monitoring and guaranteeing the implementation of the General Peace Agreement, particularly the cease-fire and the electoral process;

(iv) Fully to respect the principles set forth in Protocol I, under which "the Government undertakes to refrain from taking any action that is contrary to the provisions of the Protocols to be concluded and from adopting laws or measures or applying existing laws which may be inconsistent with those Protocols" and "RENAMO undertakes to refrain from armed combat and instead to conduct its political struggle in conformity with the laws in force, within the framework of existing State institutions and in accordance with the conditions and guarantees established in the General Peace Agreement";

(v) To safeguard political rights, emphasizing that the principles set forth in Protocol I are valid and also relate to the problem of constitutional guarantees raised by RENAMO and dealt with in the document submitted to President Mugabe. To this end, the Government of the Republic of Mozambique shall submit to the Assembly of the Republic for adoption legal instruments incorporating the Protocols and guarantees, as well as the General Peace Agreement, in Mozambican law;

(vi) On the basis of the above principles and of our commitment made in this solemn Declaration, we, Joaquim Alberto Chissano, President of the Republic of Mozambique, and Afonso Macacho Marceta Dhlakama, President of RENAMO, hereby authorize and instruct our respective delegations participating in the Rome peace process to conclude, by 1 October 1992 at the latest, the remaining Protocols provided for in the Agreed Agenda, thereby permitting the signing of the General Peace Agreement by that date.

The signing of the General Peace Agreement and its adoption by the Assembly of the Republic as provided for in paragraph (v) of this Declaration shall result in the immediate entry into force of the cease-fire agreed to under the General Peace Agreement.

(Signed) Joaquim Alberto Chissano
President of the Republic
of Mozambique

(Signed) Afonso Macacho Marceta Dhlakama
President of RENAMO

(Signed) Robert Gabriel Mugabe
President of the Republic of Zimbabwe

Witnessed by:

(Signed) Gaositwe Keagakwa Tibe Chiepe
Minister for Foreign Affairs of Botswana

and by the mediators:

(Signed) Mario Raffaelli

(Signed) Jaime Gonçalves

(Signed) Andrea Riccardi

(Signed) Matteo Zuppi

Rome, 7 August 1992

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/24636
8 October 1992
ENGLISH
ORIGINAL: ENGLISH/FRENCH

Austria, Belgium, France, Morocco, Russian Federation, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Reaffirming its resolution 713 (1991) and all subsequent relevant resolutions,

Determined to ensure the safety of humanitarian flights to Bosnia and Herzegovina,

Noting the readiness of the parties, expressed in the framework of the London Conference, to take appropriate steps in order to ensure the safety of humanitarian flights and their commitment at that Conference to a ban on military flights,

Recalling in this context the Joint Declaration 1/ signed at Geneva on 30 September 1992 by the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro), and in particular paragraph 7 thereof,

Recalling also the agreement reached on air issues at Geneva on 15 September 1992 among all the parties concerned in the framework of the Working Group on Confidence and Security-building and Verification Measures of the London Conference, 2/

Alarmed at reports that military flights over the territory of Bosnia and Herzegovina are none the less continuing,

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1/ S/24476, annex.

2/ S/24634, annex.

Noting the letter of 4 October 1992, addressed to the President of the Security Council from the President of the Republic of Bosnia and Herzegovina, 3/

Considering that the establishment of a ban on military flights in the airspace of Bosnia and Herzegovina constitutes an essential element for the safety of the delivery of humanitarian assistance, and a decisive step for the cessation of hostilities in Bosnia and Herzegovina,

Acting pursuant to the provisions of resolution 770 (1992) aimed at ensuring the safety of the delivery of humanitarian assistance in Bosnia and Herzegovina,

1. Decides to establish a ban on military flights in the airspace of Bosnia and Herzegovina, this ban not to apply to United Nations Protection Force flights or to other flights in support of United Nations operations, including humanitarian assistance;

2. Requests the United Nations Protection Force to monitor compliance with the ban on military flights, including the placement of observers where necessary at airfields in the territory of the former Yugoslavia;

3. Also requests the United Nations Protection Force to ensure, through an appropriate mechanism for approval and inspection, that the purpose of flights to and from Bosnia and Herzegovina other than those banned by paragraph 1 above is consistent with Security Council resolutions;

4. Requests the Secretary-General to report to the Council on a periodic basis on the implementation of the present resolution and to report immediately any evidence of violations;

5. Calls upon States to take nationally or through regional agencies or arrangements all measures necessary to provide assistance to the United Nations Protection Force, based on technical monitoring and other capabilities, for the purposes of paragraph 2 above;

6. Undertakes to examine without delay all the information brought to its attention concerning the implementation of the ban on military flights in Bosnia and Herzegovina and, in the case of violations, to consider urgently the further measures necessary to enforce this ban;

7. Decides to remain actively seized of the matter.

3/ S/24616.